

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION
CASE NO. 7:20-CV-00231-M

DONNA M. HAUTH

Plaintiff,

v.

KILOLO KIJAKAZI,¹

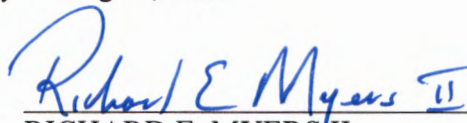
Acting Commissioner of Social Security,

Defendant.

ORDER

This matter is before the court on Plaintiff's Motion to Dismiss [DE-17]. Pursuant to Federal Rule of Civil Procedure 41(a)(2), the action against Defendant may be dismissed only by court order, on such terms as the court considers proper. Given that the Defendant does not oppose the motion, the court will not presume the existence of any prejudice. The motion is hereby GRANTED and all of Plaintiff's claims against Defendant are hereby DISMISSED WITHOUT PREJUDICE, each party to bear its own costs. The Clerk of Court is DIRECTED to close the case.

SO ORDERED this is the 16th day of August, 2021.



RICHARD E. MYERS II
CHIEF UNITED STATES DISTRICT JUDGE

¹ Kilolo Kijakazi became the Acting Commissioner of Social Security on July 9, 2021. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Kilolo Kijakazi is automatically substituted, in place of Andrew M. Saul, as the Defendant in this action. No further action need be taken to continue this suit. 42 U.S.C. § 405(g).